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(011) 32-2-535.29.11

June 18, 1992

BY HAND DELIVERY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

92-68 /

RECEIVED

JUN 19 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Colin B. Malcolm
Station KYYT(FM), Goldendale, Washington
Reply Comments to Notice of Proposed Rulemaking

Dear Ms. Searcy:

Enclosed for filing on behalf of Colin B. Malcolm, permittee of the above-referenced station, are the original and four copies of "Reply Comments of Petitioner Colin B. Malcolm."

Questions or correspondence with respect to this matter should be directed to the undersigned.

Very truly yours,

Michael Ray
Michael S. Ray

cc(w/enc): Mr. Colin B. Malcolm

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RECEIVED

JUN 19 1992

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,) MM Docket No. 92-68
FM Broadcast Stations) RM-7949
Goldendale, Washington)
)
To: Michael C. Ruger)
Acting Chief, Allocations Branch)

REPLY COMMENTS OF PETITIONER COLIN B. MALCOLM

Colin B. Malcolm, by his attorneys and pursuant to Sections 1.415 and 1.420 of the Commission's Rules,^{1/} hereby replies to the comments filed on June 4, 1992, by Nugent Broadcasting Company and Mid-Columbia Broadcasting, Inc. (together, "Respondents") in the above-referenced proceeding. For the reasons set forth below, Mr. Malcolm respectfully requests that the Federal Communications Commission ("FCC" or "Commission") issue a final rule amending the FM Table of Allotments, 47 C.F.R. § 73.202(b), to allow Station KYYT(FM), Goldendale, Washington, to substitute the higher-powered FM Channel 272C3 for the station's current Channel 272A. The requested substitution will provide Goldendale with its first wide-coverage area FM station and will allow Station KYYT(FM) to expand its service to remote areas of Klickitat County. If allotted, Mr. Malcolm will promptly file a modification application for the upgrade and will promptly construct the upgraded station.

^{1/} 47 C.F.R. §§ 1.415, 1.420 (1991).

INTRODUCTION

Colin B. Malcolm is the permittee of Station KYYT(FM), Goldendale, Washington. See FCC File No. BPH-890713MG. Following grant of the construction permit, Mr. Malcolm constructed the Class A station and is presently operating it pursuant to program test authority. In response to a petition for rule making filed by Mr. Malcolm, the Commission issued a Notice of Proposed Rulemaking ("NPRM") on April 13, 1992, proposing that Station KYYT(FM) be allowed to substitute Channel 272C3 for Channel 272A in Goldendale.^{2/} On May 19, 1992, Mr. Malcolm filed comments supporting the Commission's rulemaking proceeding. On June 4, 1992, respondents filed comments opposing the Commission's proposed rulemaking.

MR. MALCOLM'S PROPOSED TRANSMITTER SITE WILL PROVIDE PRINCIPAL CITY AND LINE-OF-SITE COVERAGE TO GOLDENDALE AND WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT

In its April 13th NPRM, the Commission stated that Channel 272C3 can be allotted to Goldendale at Mr. Malcolm's requested site, which is in compliance with the Commission's minimum distance separation requirements. Respondents claim in their comments that Mr. Malcolm's specified transmitter site will not provide the requisite city grade or line of site coverage to Goldendale, in violation of 47 C.F.R. §§ 73.315(a) and (b). See Respondents' "Comments on Notice of Proposed Rule Making" at 3-

^{2/} See Notice of Proposed Rulemaking, DA 92-380, released April 13, 1992.

4. To the contrary, as shown below, Mr. Malcolm's proposed transmitter site will provide direct line of site coverage from atop Haystack Butte to Goldendale and will provide the requisite city grade coverage over the community.

In his petition for rule making, Mr. Malcolm designated the following coordinates for his proposed transmitter site located on Haystack Butte: North Latitude $45^{\circ}-40''-15'$, West Longitude $120^{\circ}-54''-30'$. These coordinates are, unfortunately, incorrect as they were derived from a 15-minute United States Geological Survey (U.S.G.S.) topographical map. The coordinates were obtained from the license of radio equipment operated by the Klickitat County Public Utility District, upon whose tower Mr. Malcolm proposes to locate his upgraded transmitter; other firms having communications equipment in the vicinity have specified the same coordinates on their licenses. However, based on a U.S.G.S. 7.5-minute quadrangle topographic map, the correct coordinates have since been verified as follows: North Latitude $45^{\circ}-40''-53'$, West Longitude $120^{\circ}-54''-32'$. See Attachment 1. According to the attached certification of Mr. Frank E. Childs, Jr., a professional land surveyor with Edwards & Associates, Inc., the proposed site of Station KYYT(FM)'s transmitter is adjacent to the "Topper" National Geodetic Survey Trig Station at the top of Haystack Butte. At these coordinates, located at the crest of Haystack Butte, Mr. Malcolm's transmitter will provide direct and unobstructed line of site coverage over Station KYYT(FM)'s principal community of license, Goldendale.

Furthermore, from the proposed location, the transmitter will provide a minimum field strength of 3.16 mV/m over the entire Goldendale community. See Attachment 2. The attached engineering statement also shows that the correct coordinates will satisfy the minimum distance separation required to all co-channel and adjacent channel assignments and allotments. See Attachment 3. Mr. Malcolm requests amendment of the FM database to reflect the correct coordinates for his proposed upgrade.

Respondents also claim that Mr. Malcolm's petition for rule making raises "a serious question as to site availability" in that the proposed site "is located within the Columbia River Gorge Scenic Area," thus requiring Mr. Malcolm to submit an environmental assessment statement pursuant to 47 C.F.R. § 1.1307. This is simply not the case. Mr. Malcolm's proposed transmitter site is located at the existing public radio site facilities of the Public Utility District No. 1 of Klickitat County ("District"). Thus, no new construction of transmitter facilities will occur; Mr. Malcolm will secure his antenna to the District's existing transmitter support structure. Attached is a letter from Tom D. Svendsen, Manager of Engineering and Operations for the District, evidencing the agreement between Mr. Malcolm and the District for the lease of space for the Station KYYT(FM) transmitter at the District's existing radio site. See Attachment 4. Thus, contrary to the assertions of the respondents, use of this existing communications site will have

no adverse environmental impact and, in fact, constitutes efficient reuse of existing District facilities.^{3/}

**THE STATION KYYT(FM) UPGRADE IS CONSISTENT WITH
SECTION 307(b) OF THE COMMUNICATIONS ACT**

The dubious claim of the respondents that Mr. Malcolm's proposal is somehow contrary to Section 307(b) of the Communications Act is nothing more than a smokescreen to hide the fears of the respondents that the increase in power for Station KYYT(FM) might siphon advertising revenues from respondents' stations in The Dalles, Oregon.^{4/} Respondents claim that The Dalles is already served by four radio stations and that Mr. Malcolm has offered no showing on the consequences of "the introduction of a fifth radio service to this community of 11,000 person [sic]." See Respondents' "Comments" at 6. Respondents seem obsessed with the effect that Station KYYT(FM)'s proposed modification might have on The Dalles, Oregon; they claim that the objective of Mr. Malcolm "is to effectively relocate his Goldendale station to a point where it can more effectively compete for the small and diminishing listener base and advertising revenues in The Dalles." See Respondents's "Comments" at 8. This claim is absurd. First, the Commission

^{3/} In any event, the appropriate time to consider environmental issues is at the application stage, when Mr. Malcolm must address environmental considerations in response to Question 20, Section V-B on FCC Form 301.

^{4/} Nugent Broadcasting Company is the licensee of Stations KACI(AM/FM), The Dalles, Oregon. Mid-Columbia Broadcasting, Inc. is the licensee of Station KMCQ(FM), The Dalles, Oregon.

has determined that it is not the purpose of the Communications Act to protect licensees from competition. See FCC v. Sanders Brothers Radio Station, 309 U.S. 470, 475 (1940). Second, the principal community of license for Station KYYT(FM) is Goldendale, Washington, and improving coverage to that community, and to the more rural areas of Klickitat County, Washington, is Mr. Malcolm's main concern. Furthermore, if the advertising revenues and listener base in The Dalles are "small and diminishing," then why would Station KYYT(FM) want to compete for it?

It is more rational to locate, as Mr. Malcolm has proposed, a transmitter site where his station can provide the required city grade coverage to Goldendale, as well as reaching previously unserved areas in Klickitat County, Washington. There is no Commission precedent, and respondents have cited none, to deny a proposed modification upgrade because of a claim that competition might increase in an area outside of the principal community of license, which will remain more than adequately served.^{5/} To the contrary, one of the Commission's paramount goals is to increase economic competition, along with diversity of viewpoints, in its

^{5/} Furthermore, the Commission has abolished its consideration of the so-called Carroll doctrine issues, stating that it has determined that additional competition to existing broadcast stations by new full-service stations is beneficial to the public. See Policies Regarding Detrimental Effects of Proposed New Broadcast Stations, 3 F.C.C. Rcd. 638 (1988), clarified, 4 F.C.C. Rcd. 2276.

allocation and licensing decisions.^{6/} The proposed upgrade of Station KYYT(FM) helps to achieve this goal.

Thus, the respondents have failed to support their claim that the proposed modification is a violation of the Communications Act's mandate to provide a "fair, efficient and equitable distribution of radio service" to the states and their various communities. The Station KYYT(FM) proposal will in fact result in a "fair, efficient, and equitable" distribution of the Goldendale, Washington spectrum -- just not as "fair, efficient, and equitable" as respondents would like it to be for their commercial purposes in The Dalles, Oregon.^{7/} The Commission has reshuffled its allocation priorities to encourage the upgrade of FM stations wherever technically possible; the Commission has determined that this promotes efficient use of the spectrum.^{8/} Respondents, however, complain that it is not "fair" or

^{6/} See FCC v. National Citizens Committee for Broadcasting, 436 U.S. 775, 780 (1978) (reflecting Commission's traditional goal of seeking to promote diversity of viewpoints).

^{7/} The Commission has noted that it will not address individual claims of economic distress as it once did under the Carroll doctrine. See Report and Order, 4 F.C.C. Rcd. 2301 (1989). This case is similar to the recent Notice of Proposed Rulemaking to allocate Channel 298C, Los Alamos, New Mexico, to Jeffrey Rochlis. Station KBOM(FM) in Los Alamos argued against the Commission's policy of allotting channels on demand, predicting that economic harm would befall the station should the Commission allocate a third local FM service to Los Alamos. The Commission noted that such an argument is no longer appropriate in light of its rejection of the Carroll doctrine. See Report and Order, DA 92-621 (released May 28, 1992).

^{8/} See In the Matter of Amendment of the Commission's Rules Regarding Modification of FM Broadcast Licenses to Higher Class Co-Channel or Adjacent Channels, Report and Order, 60 R.R. 2d 114 (1986).

"equitable" for Mr. Malcolm to relocate his transmitter site "beyond a point where he can provide city grade coverage to Goldendale in order to operate in the adjoining state of Oregon." Respondents' "Comments" at 9. This baseless claim could not be further from the truth. In addition to providing more than adequate city grade service to Goldendale, Mr. Malcolm's proposal seeks to expand his station's service into remote areas of Klickitat County, Washington. This is exactly the type of modification that will result in the "fair, efficient, and equitable" use of the Washington spectrum, as contemplated by Section 307(b) of the Communications Act.

In fact, Mr. Malcolm's proposal satisfies Section 307(b)'s requirement that the Commission, in considering applications for modifications, ascertain whether there is a "demand for the same." Clearly, there is a demand to increase Station KYYT(FM) power -- the requested substitution of channels will provide Goldendale with its first wide-coverage area FM station and will allow the station to serve communities not presently represented by the news and public affairs programming of any other radio service, even from The Dalles. Station KYYT(FM) will serve these remote areas of Klickitat County with news, public affairs, local sports programming, and coverage of civic events of concern to the residents of Washington.

**MR. MALCOLM'S FAILURE TO INCLUDE AN AFFIDAVIT IN HIS
PETITION FOR RULE MAKING IS NOT A FATAL FLAW**

Section 1.52 of the Commission's Rules requires that a party who is not represented by an attorney shall sign and verify a petition. 47 C.F.R. § 1.52 (1991). While Mr. Malcolm did not verify his petition, it is obvious that Mr. Malcolm's preparation of the petition, and his subsequent signature thereto, verifies that the statements contained in the petition were accurate to the best of his knowledge. Furthermore, contrary to the claims of the respondents, such a failure to verify his petition is not fatal to Mr. Malcolm's proposal. The Commission has allowed unrepresented parties to verify their petitions to amend the table of allotments, should they fail to do so initially, during the comment period.^{9/} Mr. Malcolm's observance of the Commission's procedural rules, and his respect for the integrity of the rule making process, is beyond reproach. Therefore, Mr. Malcolm hereby attaches an affidavit affirming that the statements contained in his "Petition for Rulemaking" and his "Supporting Comments of Petitioner" are true and accurate to the best of his knowledge.

^{9/} See Further Notice of Proposed Rulemaking, DA92-620 (released May 29, 1992), and Notice of Proposed Rulemaking, DA92-535 (released May 13, 1992).

FOR THE FOREGOING REASONS, Colin Malcolm respectfully requests that the Commission issue a final rule in this proceeding to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, by substituting Channel 272C3 for Channel 272A in Goldendale, Washington. Mr. Malcolm also restates his intention to promptly file a modification application for Station KYYT(FM) following Commission approval of the upgrade and to promptly build the upgraded facility.

Respectfully submitted,

Mr. Colin B. Malcolm

By: Michael Ray
Margaret L. Tobey
Michael Ray

Akin, Gump, Hauer & Feld, L.L.P.
1333 New Hampshire Ave., N.W.
Suite 400
Washington, D.C. 20036
(202) 887-4377
His Attorneys

Dated: June 19, 1992

DECLARATION

I, Colin B. Malcolm, do hereby declare under penalty of perjury that the statements contained in the "Petition for Rulemaking" and "Supporting Comments of Petitioner" filed in this proceeding are true and correct to the best of my knowledge.


Date: 6/18/92

Colin B. Malcolm
Colin B. Malcolm
President, Klickitat Valley Broadcasting
Services, Inc.
P.O. Box 305
514 South Columbus
Goldendale, Washington 98620

CERTIFICATE OF SERVICE

I, Michael Ray, certify that I have this 19th day of June, 1992 sent by regular United States mail, postage prepaid, a copy of the foregoing "Reply Comments Of Petitioner Colin B. Malcolm" to:

J. Dominic Monahan, Esq.
Dow, Lohnes & Albertson
1255 23rd Street, N.W.
Suite 500
Washington, D.C. 20037
Counsel for Nugent Broadcasting Company
and Mid-Columbia Broadcasting



Michael Ray

Dated: 6/19/92

EDWARDS & ASSOCIATES, INC.

June 15, 1992

Mr. Colin Malcolm
KLCK Radio
Goldendale, WA 98620

Re: Location of Proposed Site

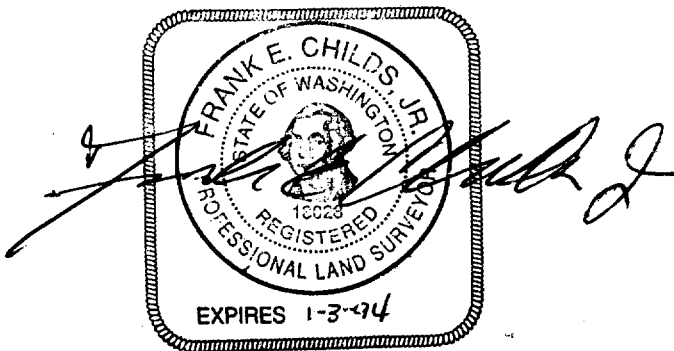
Dear Mr. Malcolm:

The latitude and longitude of the proposed site on Haystack Butte is:

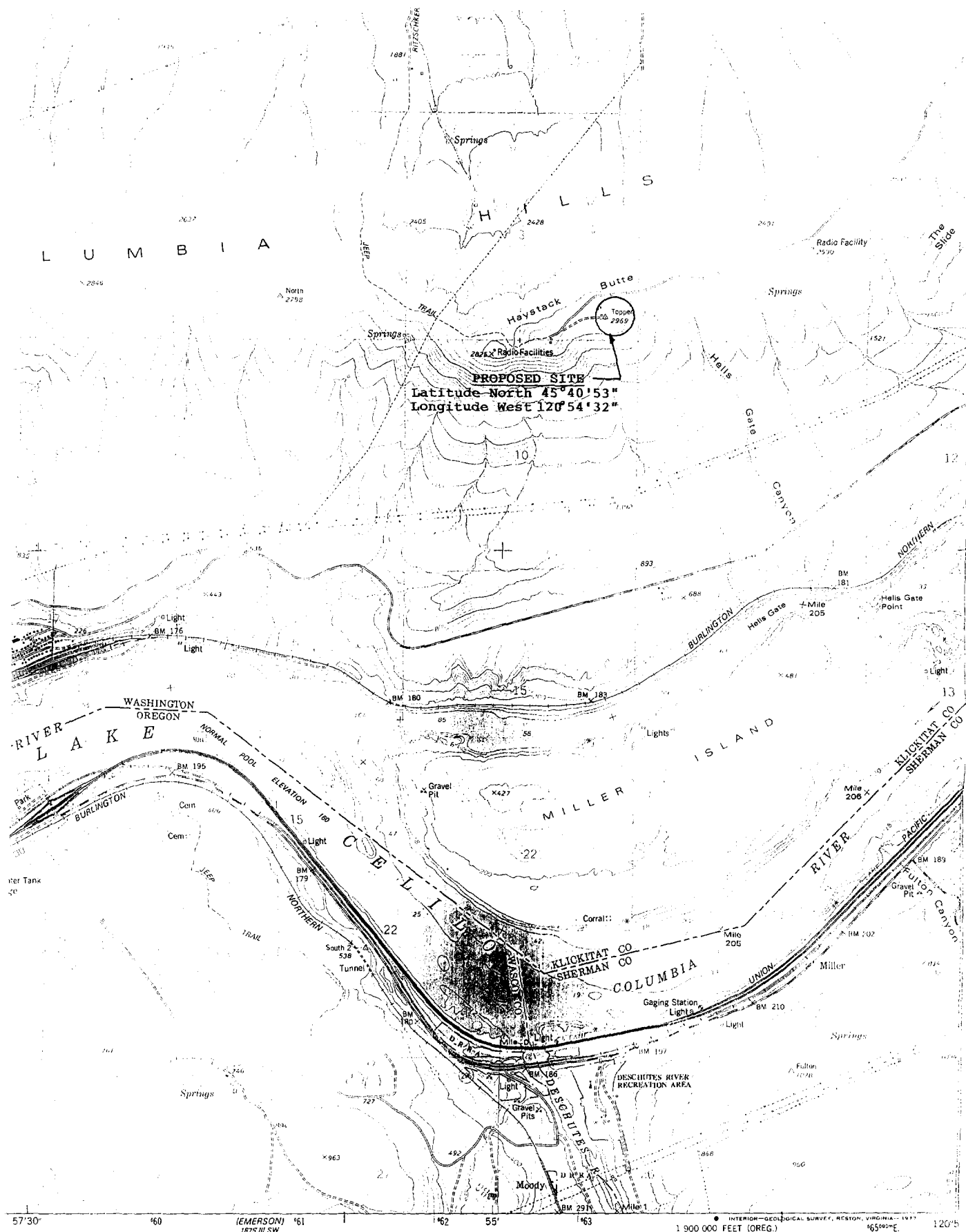
LATITUDE - North 45° 40' 53"
LONGITUDE - West 120° 54' 32"

The above listed location is adjacent to the "Topper" National Geodetic Survey Trig Station at the top of Haystack Butte, located in the SE ¼ of Section 3, T 2 N, R 15 E, W.M., Klickitat County, Washington.

The latitude and longitude were taken from the National Geodetic Survey NAD 83 Coordinates (copy attached). The attached portion of the Wishram, Wash-Oreg 7.5' quadrangle shows the location of the site.



Frank E. Childs, Jr., P.L.S.



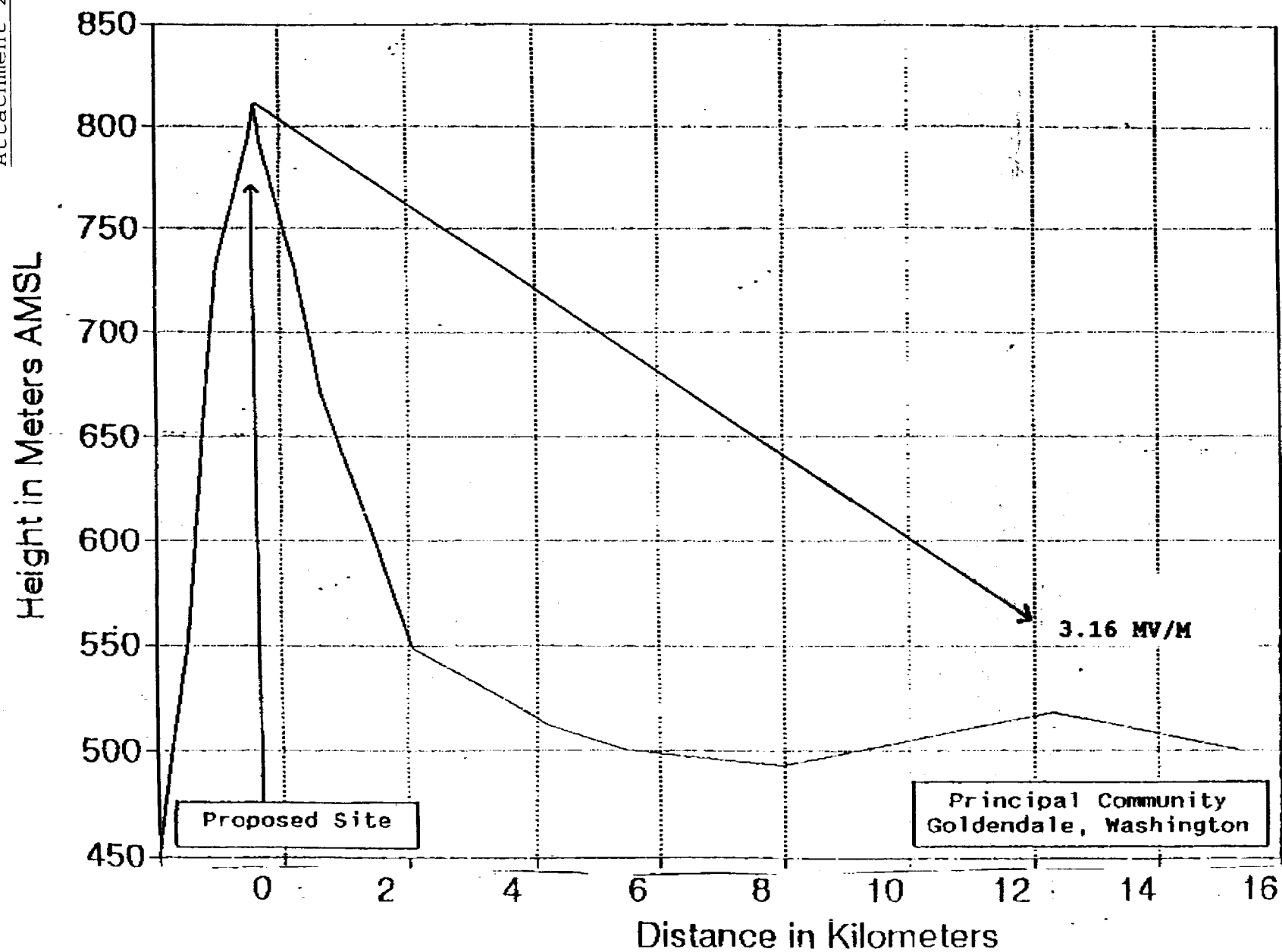
CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 20-FOOT CONTOURS
 DOTTED LINES CROSSING RIVERS REPRESENT 5-FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929
 DEPTH CURVES AND SOUNDINGS IN FEET. DATUM IS NORMAL POOL ELEVATION 160 FEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A BOOKLET DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

WASHINGTON
 QUADRANGLE LOCATION

WISHRAM, WASH.-OREG.
 NW 1/4 WISHRAM 15' QUADRANGLE
 N4537.5 W12052.5

1977
 AMS 1875 III NW-SERIES V891



ENGINEERING STATEMENT

This engineering statement is in support of the "Petition for Rulemaking" submitted by Colin B. Malcolm. The petition seeks the change in the FM Table of Allotments, section 73.202(b), so as to substitute FM channel 272C3 for channel 272A at Goldendale, Washington and the modification of the permit for station KYYT (FM) to specify operation on the higher class channel. A study has been conducted to ascertain that the substitution can be made in accordance with the minimum distance separation requirements of Section 73.207.

It has been determined that channel 272C3 can be allotted to Goldendale in accordance with the minimum distance separation requirements to all pertinent co-channel assignments and allotments, provided that a site restriction of 13.1 kilometers southwest of Goldendale is imposed. The site restriction is required due to station KPQ-FM on channel 271C at Wenatchee, Washington. Petitioner has selected a preferred transmitter site located on Haystack Butte in the Columbia Hill, 18.8 kilometers south of Goldendale. Results of the distance separation study are tabulated below. The F.C.C. Flat Earth method as outlined in Section 73.208 was used in the computation of the distances. Coordinates of pertinent assignments and allotments are from the F.C.C. database.

PROPOSED SITE COORDINATES = N 45-40-15 AND W 120-54-30

FREQ. REMOVED CHANNEL NEAREST ASSIGNMENT				DISTANCE TO REQUIRED	
-10.8 Mhz	218D#	Trans	The Dalles, OR	14.8 KM	12 KM
-10.8 Mhz	218C	KOPB	Portland, OR	144.8 KM	31 KM
-10.6 Mhz	219A	KEOL	LaGrande, OR	223.6 KM	12 KM
-600 Khz	269C3	KACA	Prosser, WA	106.3 KM	43 KM
-400 Khz	270C	KINK	Portland, OR	144.3 KM	96 KM
-200 Khz	271C	KPQ	Wenatchee, WA	182.0 KM	176 KM
-+ 0 Khz	272A	KGAL	Brownsville, OR	213.4 KM	142 KM
-+ 0 Khz	272C1*	KGAL	Brownsville, OR	213.4 KM	211 KM
+200 Khz	273C	KZOK	Seattle, WA	227.4 KM	176 KM
+400 Khz	274C	KORD	Richland, WA	141.3 KM	96 KM
+400 Khz	274C1	KYQT	Newport, OR	266.8 KM	76 KM
+600 Khz	275C1	KSJJ	Redmond, OR	168.9 KM	76 KM
+600 Khz	275C	KMNT	Centralia, WA	193.0 KM	96 KM

#Translator K218AZ (File No. BLFT890505TM)-Required distance shown is that of Class A to Class C3.

*Pending Rulemaking



Public Utility District No. 1 of Klickitat County

1313 S. Columbus, Goldendale, WA 98620

Phone: 509-773-5891

Fax: 509-773-4969

Owned by Those it Serves

P. O. Box 187, White Salmon, WA 98672

Phone: 509-493-2255

Fax: 509-493-1232

June 11, 1992

KYYT FM 102.3
Attn: Cole Malcolm
P.O. Box 149
Goldendale, WA 98620

SUBJECT: Haystack Mountain Radio Site

Dear Cole:

The District received your request of June 9, 1992. After reviewing the radio site facilities, we find there is space for your equipment. The present rental rate is \$33.34 per month. Additionally, you must pay for all electricity consumed.

I have enclosed a copy of our General Service Rate Schedule which indicates the rate for this type of service.

Enclosed is a copy of the District's terms and conditions of use of the District's radio site. This would need to be executed prior to occupancy. We need your electrical requirements to prepare the building for your occupancy.

I hope this answers your questions. If you need any further assistance do not hesitate to call.

Sincerely,

TOM D. SVENDSEN, Manager
Engineering and Operations

TDS/tsh

Enclosure

July 26, 1990

PUBLIC UTILITY DISTRICT NO. 1 OF KLICKITAT COUNTY
TERMS AND CONDITIONS OF USE OF DISTRICT'S RADIO SITE

1. License of site: The District authorizes licensee to install, operate and maintain at licensee's expense and risk, at places designated by the District on the site and within the site. Licensee shall have the right to enter the premises where its equipment is located. Licensee agrees to take, at his own expense, all measures and precautions necessary to render his equipment inaccessible to unauthorized persons.
2. Terms: This agreement is a month to month agreement and may be cancelled at any time upon thirty (30) days written notice by either party. The agreement is governed by the District's policies which may be amended by the Board of Commissioners from time to time.
3. Monthly Fee: The monthly fee is governed by the District's rates and tariffs which may be amended by the Board of Commissioners from time to time. The current monthly fee is covered under our general service rates schedule (a copy attached) for all power consumed on the premises. Rental space at this time is \$33.34 per unit.
4. Condition of the Site: Licensee will keep its equipment in good order and repair. Upon termination of this license, licensee will remove all property from the site which was placed there by licensee and repair any damage to the site.
5. Liability: The District shall not be liable to licensee or to any other person for loss or damage, regardless of cause, arising out of licensee's installation or operations under this agreement. More specifically, but without limiting the generality of the foregoing, the District shall have no liability for any loss or damage due to personal injury, property damage, slander, defamation, invasion of privacy, or other wrongful acts licensee which may be committed through the use of the premises or arising out of licensee's installation or operations under this agreement imperfect or unsatisfactory communications experienced by the licensee for any reason whatsoever. Licensee will indemnify and save the District harmless from any loss, damage, or liability, consequential or otherwise, or any cost of defense occasioned by, growing out of arising from this license, the use of licensee's equipment or the use of the site, unless this loss or damage is solely from the negligence of the District or its employees.
6. Operation of Equipment: Licensee will install, operate and maintain his equipment in accordance with applicable laws and regulations in so as to not cause interference with any

PAGE TWO

TERMS AND CONDITIONS OF USE OF DISTRICT'S RADIO SITE

other radio or television transmitting or receiving equipment whether located on the site or not. Licensee will conform to current District site standards. Licensee's failure to correct any such interference within a reasonable time to do so will give the District the right to turn off licensee's transmitting equipment until such interference is corrected.

7. Personal License: This agreement is personal to licensee and no assignment or sublicense in whole or in part shall be valid without written consent of the District.
8. Restrictions on Use: The District is not responsible for restrictions on licensee's use of this equipment on the site caused by existing or future regulations by the FCC, zoning regulations or rules, ordinances or orders of any governmental authority. Further, the site manager, which may or may not be the District, will have the right to move the position of licensee's antenna or to combine a signal with those of others in accordance with good radio engineering practices as determined by the site manager. In the event of any such occurrences which materially reduce the effectiveness of licensee's equipment, licensee may terminate this license upon ten (10) days written notice to the District.
9. Waiver: Failure or delay on the part of the District to exercise any right, power or privilege hereunder shall not operate as a waiver thereof.
10. Prior Negotiations: This agreement constitutes the entire agreement of the parties hereto as shall supersede all prior offers, negotiations and agreements.
11. Amendment: No revision of this agreement shall be valid, unless made in writing and signed by a duly authorized representative of the District.
12. Notices: Notices or desires required to be sent to either party shall be sent to the address you set forth below, such addresses may be changed by notice to the other party.

Public Utility District No. 1 of Klickitat County
1313 South Columbus Avenue
Goldendale, Washington 98620-9599

PUBLIC UTILITY DISTRICT NO. 1 OF KLICKITAT COUNTY

ELECTRIC RATE SCHEDULE 3 A 5SMALL GENERAL SERVICEAvailability

For single phase users normally served by the District and supplied through a single meter and one point of delivery with a twelve month average annual peak demand of less than 50 kW, to be calculated on the previous twelve month's usage.

All combined residential and business services shall be on this schedule if not covered by other specific schedules.

Monthly Rate

Minimum Account Charge	\$13.25
All kWh @	0.0421

Capacity Charge:
No charge for first 50 kW of demand.

Demand in excess of 50 kW per month \$ 4.00 per kW

Demand

The billing demand will be the kW as shown by or computed from the readings of the District demand meter, for the 30 minute period of consumer's greatest use during the month.

Amounts registering demand of 50 kW or greater will be billed monthly.

Minimum Charge

The minimum monthly charge will be the \$13.25 account charge per month unless a higher minimum has been established under the District's Line Extension Policy.

Consumer Service Policy

Service under this schedule is subject to the Consumer Service Policy of the District.

Effective

Effective July 1, 1988.